V/s.

Second Party :—Management of Manjunatha Motor Service, Nanjangud Mysore District.

AWARD

The Government of Karnataka by their Order No. SWL 1028 LLD 76 dated 30th November 1976 have referred the following points of dispute to this court for adjudication.

POINTS OF DISPUTE

1. Are the Management of Manjunatha Motor Service, Nanjangud, Mysore District, justified in refusing work to Sri S. Mahadevappa. Conductor, w.e.f. 3rd November 1975 ?
2. If not, is the said worker entitled for reinstatement with full back wages and continuity of service or to any other relief ?

Sri Vishakantaiah appearing for the first party does not press the reference on the ground that the dispute is settled out of court. Hence, the reference is rejected as settled out of court.

Mysore,
Dated: 22nd February 1979.

P. B. CHAUGULE,
Presiding Officer.
Labour Court, Mysore.

ORDER No. SWL 82 LLA 79
Bangalore, dated 13th March 1979.

Whereas by State Government Order No. SWL 1028 LLD 76 dated 30th November 1976 the Industrial dispute between the workmen and the management of Manjunatha Motor Service, Nanjangud. Mysore District was referred to the Labour Court, Mysore for adjudication.

And whereas the Presiding Officer, Labour Court, Mysore has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

H. V. SOMASHEKHARAIAH,
Under Secretary to Government,
Social Welfare and Labour Department.

GOVERNMENT OF KARNATAKA

SOCIAL WELFARE AND LABOUR SECRETARIAT

Labour Disputes: Industrial dispute between the workmen and the Management of National Silk Mills, 4 and 5 Narayanasettypet, Bangalore-2

Award of the Presiding Officer Labour Court, Bangalore, Published.

Read the following papers:

1. Letter No. 1536(a)/78-79 dated 12th Decembr 1978 from Sri M. R. Majumdar, Presiding Officer, Labour Court Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated: this 12th day of December 1978.

Present:

Shri M. R. Mujumdar, B. A. (Hons), LL, B.,

Presiding Officer.

Reference No: 4 of 1978.

First Party:

Sri G. Muniswamy and 14 others, C/o C. I. T. U. office, 1-56, K. V. Temple Street, Sultanpet, Bangalore-53.

Vs.

Second Party:

The Management of National Silk Mills, 4 and 5 Narayanasettypet, Bangalore-2.

Reference:

Government order No. SWL 940 LLD 77 dated 17th December 1977

AWARD

1. The Government of Karnataka in their order No SWL 940 LLD 77 dated 17th December, 1977, have refferred an industrial dispute existing between the above named parties to this Court for adjudication on the points of dispute noted below:—

"Are the management of National Silk Mills, 4 and 5, Narayanasettypet, Bangalore-2. Justified in refusing work to the following workmen with effect from 19th February 1977:—

1. G. Muniswamy
2. N. Ramaiah
3. Lingaiah
9. Siddaiah
10. G. Raghu
11. Kempamma

4. P. Narayana
5. T. Narayanappa
6. Subramani
7. Mallappa
8. M. Shivanna
12. Gangamma
13. Nagarathnamma
14. Mani
15. Kamappa

If not, to what relief the workmen are entitled ?"

2. The I Party filed their claim statement on 15th April 1978. On behalf of the II Party no counter-statement was filed. On 1st December 1978 when the case was called, both parties were present and filed a Memorandum of settlement made under S. 18 (1) of the Industrial Disputes Act, 1947, and prayed for an award in terms of the same. The settlement is signed by both the parties. Terms being fair and reasonable, are accepted.

3. In the result, I pass an Award in terms of the settlement which shall be annexed to this Award and be deemed as forming part of it. No costs.

Sd/-
M. R. MUJUMDAR,
Presiding Officer
Labour Court Bangalore.

MEMORANDUM OF SETTLEMENT UNDER SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT, 1947

Names of parties :

1. Representing Management of National Silk Mills. — Sri N. Raju, Partner, National Silk Mills, 3334, Narayana Settypet, Bangalore-2

2. Representing Workmen :
   1. G. Muniswamy
   2. Mani
   3. Kanappa
   4. Ramaiah
   5. Narayana
   6 Mallappa
   7. Sivanna
   8. Siddaiah
   9. Narayanappa
   10. Subramani
   11. Lingaiah
   12. C. Ragu
   13. Gangamma
   14. Kempamma
   15. Nagarathnamma

Whereas the Industrial dispute between the parties to this settlement was referred to by the Government of Karnataka as per its order of reference No. SWL 940 LLD 77 dated 17th December 1977 to the Labour Court, Bangalore ;

Whereas subsequent to the order of reference and the proceedings before the Labour Court, the parties herein have settled the dispute amicably between themselves ;

Whereas in view of their claim for reinstatement on the alleged ground that the 2nd party have refused the work to the 1st party workmen with effect from 19th February 1977, the members of the 1st party have received various sums as detailed hereunder as compensation in lieu of their claim for reinstatement.

1.	G. Muniswamy	...	Rs. 450-00
2.	Mani	...	Rs. 175-00
3.	Kannappa	...	Rs. 175-00
4.	Ramaiah	...	Rs. 225-00
5.	Narayana	...	Rs. 175-00
6.	Mallappa	...	Rs. 75-00
7,	Sivanna	...	Rs. 75-00
8.	Siddiah	...	Rs. 75-00
9.	Narayanappa	...	Rs. 75-00
10.	Subramani	...	Rs. 75-00
11.	Lingaiah	...	Rs. 175-00
12.	C. Ragu	...	Rs. 75-00
13.	Gangamma	...	Rs. 125-00
14.	Kempamma	...	Rs. 125-00
15.	Nagarathnamma	...	Rs. 125-00

Now the parties to the settlement hereby confirm that in view of the payment made by the 2nd party to the members of the 1st party as detailed above, there is no Industrial dispute between the parties hereunder and a copy of this settlement be produced before the Labour Court, Bangalore in Reference No. 4 of 1978 and the Court be requested to pass an award in terms of the settlement.

1. Sd. G. Munlswamy
2. Sd. Mani
3. Sd. Kannappa
4. Sd. Ramaiah
5. Sd. Narayana
6. Sd. Mallappa
7. Sd. Shivanna
8. Sd. Siddaiah's son
9. LHT of Narayanappa
10. Sd. Subramani
11. Sd. Lingaiah
12. Sd. C- Ragu
13. LHT of Gangamma
14. LHT of Kempamma
15. LHT of Nagarathnamma

For the management of
National Silk Mills
Sd/-,.....
Partner

(M. R. MUJUMDAR)
Presiding Officer
Labour Court, Bangalore